

Appl. No. 10/717,617

**REMARKS**

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1-7, 9-27, and 29-34 are now present in the application. The specification, the drawings, and claims 1-7, 9, 10, 12-18, 25-27, 29 and 33 have been amended. Claims 8 and 28 have been cancelled. Claims 1, 4, 7, 9 and 12 are independent. Reconsideration of this application, as amended, is respectfully requested.

**Specification Objection**

The specification has been objected to due to the presence of minor informalities. The specification has been amended to address the Examiner's requested changes. Accordingly, this objection has been obviated and/or rendered moot. Reconsideration and withdrawal of this objection are respectfully requested.

**Drawings Objection**

The drawings have been objected to due to the lack of a legend such as "Prior Art" in FIGs. 1a and 1b. Applicants have submitted one (1) sheet of corrected formal drawings to address the Examiner's requested changes. Accordingly, Applicants respectfully submit that this objection has been obviated and/or

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rendered moot. Reconsideration and withdrawal of this objection are respectfully requested.

**Claim Rejections Under 35 U.S.C. §112**

Claim(s) 1-8, 10, 12-22 and 24-34 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. This rejection is respectfully traversed.

In view of the foregoing amendments to the claims, it is respectfully submitted that this rejection has been addressed. Accordingly, all of the claims are now definite and clear. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, are therefore respectfully requested.

**Claim Rejections Under 35 U.S.C. § 102**

Claims 9, 18 and 23 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Hartwell, U.S. Patent No. 6,504,385. This rejection is respectfully traversed.

In light of the foregoing amendments to the claims, Applicants respectfully submit that this rejection has been obviated and/or rendered moot. As the Examiner will note, independent claim 9 has been amended to recite a combination of elements including "a proof mass which is connected to a frame by

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a plurality of L-shaped sensing beams" and "the L-shaped sensing beams making the proof mass movable only along a first axis which is parallel to the two boards and along a z-axis perpendicular to the two boards". Support of the element "L-shaped sensing beams" can be found on paragraph [0030] of the specification. Applicants respectfully submit that the above combination of elements as set forth in amended independent claim 9 is not disclosed nor suggested by the reference relied on by the Examiner.

Hartwell discloses a three-axis motion sensor. In particular, Hartwell teaches a microelectromechanical system (MEMS) device 10 having a plurality of flexures 56 (see FIG. 2; col. 3, lines 49-54). However, Hartwell fails to teach "a proof mass which is connected to a frame by a plurality of L-shaped sensing beams" as recited in claim 9. Instead, Hartwell teaches a straight or a sawtooth flexure 56 (see FIGs. 2-6).

Hartwell also fails to teach "the L-shaped sensing beams making the proof mass movable only along a first axis which is parallel to the two boards and along a z-axis perpendicular to the two boards" as recited in claim 9. Instead, Hartwell teaches that the flexures 56 allow the mover 50 to move in three dimensions (col. 3, lines 54-55). To further clarify the present invention, Applicants respectfully submit that this limitation recited in claim 9 provides flexibility for the accelerometer

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designer to decide whether the detection in the third axis is necessary. If the detection for the third axis is unnecessary or not preferred, the accelerometer designer can apply the present invention to prevent the detection in the third axis. On the other hand, the device 10 and the flexures 56 of Hartwell cannot provide the same flexibility for the accelerometer designer.

In light of the above, Hartwell fails to teach the above combination of elements as set forth in amended claim 9.

Since Hartwell fails to teach each and every limitation of amended independent claim 9, Applicants respectfully submit that independent claim 9 and its dependent claims clearly define over the teachings of Hartwell. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 102 are respectfully requested.

#### CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but rather to merely show the state of the art, no further comments are necessary with respect thereto.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

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In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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